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Policy-Borrowing and Globalization Challenging French Universities in the 21st Century

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LOYOLA UNIVERSITY CHICAGO

POLICY-BORROWING AND GLOBALIZATION CHALLENGING
FRENCH UNIVERSITIES IN THE TWENTY-FIRST CENTURY

A THESIS SUBMITTED TO
THE FACULTY OF THE GRADUATE SCHOOL
IN CANDIDACY FOR THE DEGREE OF
MASTER OF ARTS

PROGRAM IN CULTURAL AND EDUCATIONAL POLICY STUDIES

BY
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CHICAGO, ILLINOIS
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The act of writing is never the fruit of a single person's work. Not only am I indebted to all the scholars to whom I refer in this thesis, the latter would not have seen the light without all the people who supported and inspired me throughout the thesis-writing process. I would thus like to express my heartfelt gratitude to them, as each of them allowed me to climb a new step in the realization of my work. Their moral support, intellectual curiosity, challenging questions and remarks allowed me to develop, and refine my thesis in ways that could not have been possible otherwise.

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I am forever grateful to my father without whom I could not have studied abroad in the United States, the experience that led me to study Comparative and International

Education and without which the topic of my thesis would not have been born. Last, but not least, I am thankful to all my family and friends for their continuous words of encouragement, their faith in me, and their endless love, which means more than words can say.

PREFACE

When I came back from my exchange program at Loyola University Chicago in June 2008, I was still under the spell of the American system of higher education. In American universities, everything seemed to work better than in French universities. The libraries offered a huge amount of resources, campuses offered many opportunities for students to get leadership positions and obtain a job, buildings were well maintained. Most of all, the administration was highly efficient, unlike that of French universities in which procedures were a never-ending process. More than ever, I realized how the centralized nature of French bureaucracy was a brake to the flourishing of universities. Could the way American universities were governed be the solution to the poor state of French universities?

When protests developed against the *Loi relative aux Libertés et Responsabilités des Universités* (LRU), I was prevented from going to class for almost a semester. Once again, I was frustrated by the habit French people have of going on strike as soon as the government wants to alter French institutions. The scale of the protests against this new law, which started when I left for Chicago in August 2007, made me want to do more research on this topic. As I searched for more information on this reform, and having just come back from the US, I was struck by the extent to which the LRU would “americanize” French universities, especially with its plan to create campuses.

Sitting in the library of the University of Aix-en-Provence, I remember discussing

the issue of privatization with my professor of American history. She told me about her experience teaching in the United States and she explained that she was never interested in staying in the United States as a professor. She described American students as clients and knowledge was considered a commodity in the American system of higher education.

This thesis is an attempt at understanding the origin and nature of the LRU, the reason for such resistance against this reform, and the way French universities appropriated this new policy. Although my thesis focuses on the LRU as a policy borrowed or inspired from the United States, I realize that, in our globalized world, the seeds of this reform come from a multiplicity of sources. I hope this thesis will shed some light on these questions.

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Figure 1. Policy borrowing in education: composite processes
(Source: Phillips and Ochs, 2004)

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ABSTRACT

French universities are currently undergoing an overhaul and, in my thesis, I analyze the 2007 *Loi relative aux Libertés et Responsabilités des Universités* (LRU), or law that makes universities autonomous, as a policy borrowed from the United States. The role of the Bologna Process in the creation of the LRU will also be examined. In so far as this reform may clash with French national identity, as well as with the national political and economic system in place, this thesis will attempt to answer the following questions: how does the process of borrowing the concept of the autonomy of universities unfold in the case of French universities? Why is this policy borrowed? Is it compatible with the French University system? How is it being appropriated? After describing and analyzing the process of policy borrowing using Phillips and Ochs' method, the last part of the thesis will focus on globalization as a force challenging both the theme of borrowing and the national character of French universities. The conclusion is that the way the LRU is implemented in French universities and the organizational change brought about by this law is the result of three phenomena: policy-borrowing from the United States; the competitive, normative, and institutional pressures of international and regional agencies on national governments; and the resistance and individual understanding of the law by people in specific universities, at the local level. This study shows that French universities have broken away from the Napoleonic system, but that the French context limits the autonomy of universities. Another conclusion is that the

new governance that emerged from these three phenomena produced an organizational allomorph of global archetypes of university governance, which may be qualified as “entrepreneurial university.”

CHAPTER ONE

INTRODUCTION

Purpose

As a field of study, comparative education emerged in the nineteenth century, along with certain of its major issues such as educational transfer and policy borrowing. As early as 1833, Victor Cousin, a French philosopher, used comparative education as a means to improve education in France. Almost two centuries later, France is still observing its neighbors with a view of bettering its own educational system. However, borrowing is not an easy process and may clash with national identity, as well as with the national political and economic system in place. Recently, the *Ministère de l'Enseignement Supérieur et de la Recherche* (MESR) or Department of Higher Education and Research, decided to reform the French university system to create the “Nouvelle Université” (New University) on the basis of several reforms. The two major plans are: giving more autonomy to universities, or what is called LRU (*Loi relative aux Libertés et Responsabilités des Universités* or *Loi Pécresse*); and creating campuses, or what is called *Opération Campus*. This study will focus on the LRU, however it is worth noting that the autonomy of universities is not an end in itself and that the ultimate aim is to develop campuses that will become the symbol of excellence and increase the visibility and attractiveness of French universities. Although the *Opération Campus* is not the

object of the present study, it is important to keep it in mind as we are speaking of policy borrowing from the United States. This project reinforces the thesis according to which the LRU is borrowed from the United States and the French government is trying to Americanize French universities. Indeed, I analyze the LRU as a policy borrowed or inspired from the United States, while also considering the role that the Bologna process and globalization played in the creation of this law. Therefore, the issue will be to understand why and how the policy relating to the autonomy of universities was borrowed, how it was received, and how it was appropriated by French universities.

Notions of “autonomy of university” are not identical from one country to another. Even if these notions were similar, the context would necessarily make the results different and these concepts would be appropriated in different ways. What does autonomy mean? The Oxford English Dictionary (OED) defines autonomy as follows: “Of a state, institution, etc.: The right of self-government, of making its own laws and administering its own affairs.” Therefore, if a university is autonomous, it is self-governing and does not depend on the national government regarding the choice of classes, the organization of the university, or the examinations, to quote just a few. It is worth noting that the name of the French law does not contain the word “autonomy,” but the words “freedom” and “responsibilities.” The phrase “law on the autonomy of universities” is the nickname people use to refer to this law. This means that autonomy may be defined as having freedoms and responsibilities.

American Universities have always been more or less autonomous and campuses have been there since the creation of the United States (the term was first used in 1774 at Princeton, New Jersey - OED). On the contrary, in France, the current projects reform the

governance of universities that have a tradition of centralization since Napoleonic times and they also alter the physical structure of universities. It is important to underline the fact that students and professors are not against the autonomy of universities; they are against the terms of the laws, which will be studied in the thesis. Students, notably from the political left-wing, suspect the autonomy of universities is a trick from the government, which will later privatize universities, like their American counterparts, and turn them into businesses. In the French psyche, universities represent the republic's ideals of equality and equity: education is a right and this is why it must remain free; knowledge should not be commodified. Indeed, Musselin (2004) spoke about "the principles of uniformity and equality" (p.53) in French universities that date back from the time of Napoleon's Imperial university, which is why their legitimacy has gained "a naturalistic quality" (p.54) that is hard, if not impossible, to challenge. As for professors, although they like the idea of autonomy and having more control, they disagree with the terms of the law. They are also afraid of the commodification of knowledge and they fear the presidents of universities will have too much power, which would diminish theirs.

As French universities are currently undergoing an overhaul, I thus tried to understand the origins and nature of the LRU. Is this law the result of Americanization, Europeanization, and/or globalization? How does the process of borrowing the concept of the autonomy of universities unfold in the case of French universities? Why is this policy borrowed? Is it compatible with the French University system? How is it received? How is it being appropriated? What is the role of the Bologna Process and of globalization in the development of the current reforms affecting French universities?

Conceptual Framework

In “Undeclared imports: silent borrowing in educational policy-making and research in Sweden,” Waldow (2009) distinguishes between two kinds of policy borrowing: “silent” borrowing and “explicit” borrowing. In the case of French Universities, one is dealing with the second kind of borrowing. During his presidential campaign, President Sarkozy explicitly referred to American Universities as a successful model. According to him, this “success” comes from the autonomy of universities and the existence of campuses; this is why France must follow its path (Présidence de la République, 2009). This is not surprising if we consider Sarkozy has been repeatedly identified as pro-American, as can be seen in both newspapers (Crumley, 2007; Schmitt, 2006) and scholarly articles (Meunier, 2010; Dimitrakopulos, Menon, & Passas, 2009). Now, one must wonder whether or not the Americanization of the French university is feasible and if French people will allow the Americanization of their universities. Indeed, borrowing practices from abroad is problematic.

Throughout history, comparativists have developed different views regarding the possibility of transferring or borrowing policies from abroad. At the birth of comparative education as a field, Jullien argued that, by studying various systems of education, it would be possible to find the universal “aims,” “principles,” and “rules” of education and that these should be transferred to all educational systems regardless of the context in which it bathes (Beech, 2006). On the other hand, Sadler problematized educational borrowing and emphasized the importance of context when studying educational policies; he was rather skeptical regarding the feasibility of transferring or borrowing educational policies. According to him, comparative education should not stress “practical aims”;

rather, the aim of comparative education should be to study various educational systems better, so that one can understand one's own educational system better (Beech, 2006). As far as I am concerned, I believe educational borrowing is possible only to some extent, in so far as the reforms or practices will be appropriated in a different way depending on the context in which it is sowed. This is the perspective I will take in my thesis, as I study the process of policy borrowing regarding French universities. As Steiner-Khamsi (2004) points out, one must keep in mind that "borrowing is not copying. It draws our attention to processes of local adaptation, modification and resistance to global forces in education" (p. 5). She (2000) urges people to ask themselves the following questions: "Why did transfer occur? How was transfer implemented? Who were the agents of transfer?" (p. 170), which are key to understanding the process of policy borrowing in French universities.

Scholars have designed various models in order to explain the process of policy borrowing. As Waldow (2009) pointed out, although many researchers analyzed policy-borrowing processes, there are those who do so in order to enabl[e] and facilitat[e] educational transfer" and those, like myself, whose aim is to "understand" the process of policy borrowing (p. 477). In her CIES presidential address, Steiner-Khamsi (2010) presented three popular models of policy borrowing while pointing out a common flaw among them, which is the absence of a "transnational dimension," or of what she also calls a "globalization optique" (p. 14), and this is one of the reasons why I will not use these as my theoretical framework. These models are Howlett and Ramesh's policy cycle, Sabatier's Advocacy Coalition Framework, Kingdon's Multiple Streams theory. Although they do not possess a transnational dimension, the latter raises two important

questions that will be worth asking oneself while studying the case of French Universities. First of all, has one problem in the French society streamed the problem of French universities? After all, there has been lots of protests against Sarkozy's reforms both in the past and recently. Secondly, "does rationality really overwhelm politics when it comes to policy change?", or in other words, were the policies borrowed consciously after deep thinking on the part of the politicians? (Steiner-Khamsi, 2004, p. 338). It will be important to keep these questions in mind while writing the thesis.

Although the previous model raises some important questions, there is still the need to find a model that has a *globalization optique*. I would argue that Phillips and Ochs' model possesses such a transnational dimension - this model is the one I have selected as my theoretical framework (see Figure 1). The two authors identify four stages in the process of policy-borrowing: cross-national attraction, which indicates a transnational approach; decisions; implementation; and internalization/indigenization. The impulses that trigger cross-national attraction may be "internal dissatisfaction" and "negative external evaluation", as well as "novel configurations"; the decisions will be the reforms themselves; the implementation of these reforms may then be supported and/or met with opposition by the French people; finally, the borrowed policies are being more or less internalized by French society.

Various theories have been developed to explain policy change and these theories may reveal themselves useful as we try to identify the reasons for policy borrowing and cross-national attraction in the case of the autonomy of universities and the creation of campuses. . In "The Lessons of Learning: Reconciling Theories of Policy Learning and Policy Change," Bennet and Howlett present different learning theories developed by

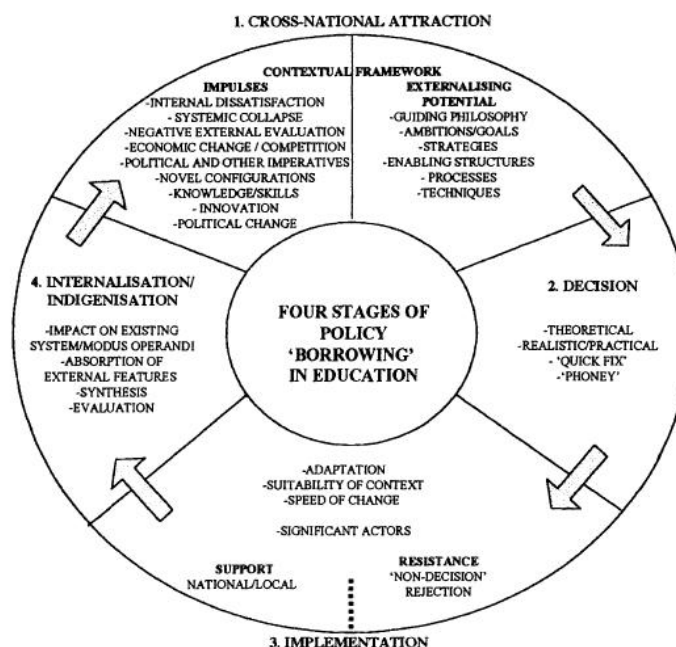


Figure 1. Policy borrowing in education: composite processes (Source: Phillips and Ochs, 2004)

researchers to explain policy change, instead of the traditional conflict resolution theories. Among these theories are Hall's "social learning," Etheredge's "government learning," and Rose's "lesson learning." Are the changes that are happening in French universities the result of the people's learning? Are they the result of government's learning? Or have lessons been drawn from abroad? The latter may remind one of Michael Sadler's question, "How far can we learn anything of practical value from the study of foreign systems of education" (1900). These are questions that will have to be answered in order to understand the root of the policy borrowing.

Originality of Research

My research is original in so far as it mostly relied on primary documents and because, as will be seen through the literature review, nobody has done a research of this type before, using a systematic approach based on a comparative education framework.

This study aims to help us understand the roots of the current projects, the process of policy borrowing and its complexities, and the way in which France is appropriating reforms and projects inspired from abroad.

Methodology

This study is a qualitative document analysis. The first step in the research process was to gather data relating to the autonomy of universities, but also in the United States and other E.U. countries. This was done while keeping in mind Phillips and Ochs' circular model so as to locate pieces of information relating to the four different stages distinguished in the process of policy-borrowing, that is to say cross-national attraction, decision-making, implementation, and internalization.

A careful reading of policy documents was thus done, notably of the *Loi relative aux Libertés et Responsabilités des universités* (LRU), which can be found on the *Légifrance* website. Secondly, the *Lettre de Mission*, or engagement letter, written in July 2007 by President Sarkozy to the, then, newly appointed Minister of Higher Education, Valerie Pécresse. Official speeches delivered by both the French President and the Minister of Higher Education represented key sources that provided important details regarding the cycle of policy borrowing in the case of French universities. The presidential website, Elysée, provided great resources, among which the speech entitled “*Discours à l’occasion du lancement de la réflexion pour une stratégie nationale de recherche et d’innovation*,” delivered by Sarkozy in January 2009, and which created an outcry among the academic community and was followed by months of strikes.

Sarkozy's presidential campaign speeches were also useful resources, since they contain the seeds of the projects he was going to undertake during his presidency. As for

Valérie Pécresse's speeches, two of them were particularly useful - the 2007 speeches that dealt with the need to reform the French Higher Education system, about her vision of the *Nouvelle Université* and her speech when she presented the bill of the LRU to the Senate. One can find in them the reasons for policy-borrowing and for reforming the governance of universities, as well as their physical architecture. The *Nouvelle Université* website also provided precious information and regular updates on the progress of the autonomy of universities.

Newspapers and blogs helped me understand the reaction to the new measures taken regarding French Universities. In order to understand the way in which French universities appropriated this new reform (what corresponds to the last stage in Phillips and Ochs' model), I used very recent documents such as the 2011 report of the *Comité de Suivi de la loi LRU*, a committee that is in charge of making observations and recommendations in regards to the implementation of the LRU, and the European University Association (EUA) scorecard (2011), which compares levels of institutional autonomy in twenty-eight European universities. These documents gave me some insight into the internalization stage of the reform by French universities.

History and Background

Brief History of French Higher Education

Since the creation of the Napoleonic system, there have been four attempts at reforming the governance of universities (Musselin, 2009). The French higher education system became centralized under Napoleon. In 1808, he established the Imperial University that controlled everything in universities, from the contents of classes to examinations. As Christine Musselin, senior researcher at the Centre de Sociologie des

Organisations , explains, “Napoleon’s Imperial University instated a minimalist, strictly utilitarian concept, one that would sterilize higher education and produce a national, centralized system” (2004, p. 10). At the end of the 19th century, the 1896 law was the first attempt to reform the governance of universities. The new reform aimed to create autonomous decision-making bodies and was inspired or borrowed from German Universities, or more precisely from the Humboldt university system (Musselin, 2004, 14). However this attempt at changing the governance of universities failed because of there existed

strong tension between partisan of the corporatist tradition, seeking to ‘reestablish lost corporatist solidarity and cohesion,’ and economic and political liberals, who advocated ‘complete freedom for the faculties in determining study programs and hiring professors. (p. 17)

In the end, the former won because of what Musselin calls the “principle of noncompetition” (p. 18), especially regarding the remuneration of professors. As we are going to see, this principle is still relevant today.

Today, the centralization of the University is present through the form of the Conseil National des Universités (CNU)¹ (Musselin, 2004). In May 1968, students massively protested against the higher education system, notably against the inefficiency of the administration and the rigidity of the class contents (Bienaymé, 1991). Finally, the students requested to get more power from the government. The Faure Act (1968) was the second attempt to reform the governance of universities. Students were given a voice

¹ “*CNU, Conseil National des Universités*: national council made up of fifty-five sections, each corresponding to a discipline or subdiscipline, whose main role is to determine whether candidates for the two groups of academic personnel are ‘qualified’, that is, to verify that they have met the minimum statutory requirements and determine whether their scientific or scholarly activity is qualitatively and quantitatively satisfactory. Each CNU section is made up of eighteen professors and eighteen maîtres de conférences, two-thirds elected by their respective groups, the other third appointed by the ministry. Members serve for four years.” (Musselin, 2004, p. 136).

through the *Conseil d'Administration*² and the self-governing power of universities was supposed to have been increased. However, it is a hard task to implement reform in the education field, especially in France as will be seen later, and the universities remained under the control of a centralized system (Bienaymé, 1991, p. 665).

The third attempt to reform universities was the 1984 Savary. To some, the Faure Act did not give enough autonomy to universities and the Savary Act aimed to amend the Faure act by creating more decision-making bodies. However, this law did not have a real impact on the governance of universities because many people thought that multiplying governing bodies would make the decision-making process even longer than what it was at the time, and they refused to apply the law (Musselin, p.40).

About thirty years later, when Sarkozy announced that all universities would become autonomous, he triggered collective protests. On May 15, 2009, the French magazine *Paris-Match* announced that “the Sorbonne [wa]s reenacting May 68”³. Like many universities in France, the Sorbonne had been on strike for fifteen weeks (Lechevallier, 2009), and the French University was on the brink of an apocalypse. However, in the face of such powerful opposition, the French president, Nicolas Sarkozy, and the Minister of Higher Education, Valérie Pécresse, remained inflexible and well decided to reform the governance of French universities. The Pécresse Law constitutes the fourth and most recent attempt to reform the governance of universities.

² “Since the 1984, Loi Savary, there have been three deliberative councils: the *Conseil Scientifique*, which makes proposals regarding research and budget; the *Conseil des Etudes et de la Vie Universitaire* or CEVU, focused on the curricula and student life on campus, and the *Conseil d'Administration*, which makes decisions on the basis of proposals and recommendations from the other two while concerned primarily with resource issues such as budget and post allocation” (Musselin, 2004, pp. 138-139).

³ Unless otherwise noted, all translations are the author's.

Sarkozy clearly announced that, if he were elected president, he would reform the governance of universities and change the infrastructures of universities - this was thus part of his agenda from the beginning and he is the original actor in these reforms. When he was elected, these reforms became the task of Valérie Pécresse, the Minister of Higher Education. Then, the *Assemblée Nationale* (the French National Assembly) discussed these bills before voting them into laws. The discussion about the bill relating to the autonomy of universities started in May 2007. Pécresse then created three task groups to work on different aspects of the bill. The law stipulates that, by 2013, all universities must be autonomous. The hope is that the autonomy of universities will stimulate research, competitiveness, and development so as to attract more scholars and students from around the world. Regarding the *Opération Campus*, the first call for projects was made in February 2008 and it was officially launched in January 2009. The purpose of the *Opération Campus* is to both offer better services to students and scholars, but also to gain visibility on the international stage. Only ten campuses are being created, however the minister insisted that one campus does not mean one university; universities are encouraged to create partnerships and to present projects together (Nouvelle Université).

It is worth noting that, while these reforms are being carried out, the Minister of Higher Education created an “international comparative mission of autonomy of university practices” (“mission de comparaison internationale des pratiques de l'autonomie des universités”) in which the theme of educational transfer is made explicit (Ministère de l'enseignement supérieur et de la recherche, 2009). In October 2009, Valérie Pécresse confided a mission to Philippe Aghion, a French economist who is now Professor of Economics at Harvard University: that of comparing practices of autonomy

in universities worldwide. His task was to “make a census of foreign universities’ practices that could be transferred to our academic culture” [“recenser les pratiques des universités étrangères qui pourraient être transposables dans notre culture académique”] (Ministère de l’Enseignement Supérieur, 2009). He thus worked with other experts from around the world to carry out his mission and he gave the results of his research in January 2010. Among the people that worked with him are professors of economics from MIT and Stanford, the presidents of Solvay business school in Brussels, of the Max Plank Institute in Bonn, of the Volkswagen Foundation, of the European Research Council, of the University of Maastricht and of the Nobel Foundation (Ministère de l’Enseignement Supérieur, 2009).

*The French Higher Education System: Universities vs. Grandes Ecoles*⁴

In order to understand the reforms that affect French universities, one must know that the French Higher educational system is made up of different kinds of establishments primarily divided into public and private schools, or *Universités* and *Grandes Ecoles*.

During the year 2007-2008, the *Ministère de l’Enseignement Supérieur et de la Recherche* (MERS) counted 2,258,000 students: 1,326,000 in public universities; 113,000 in IUT (Institut Universitaire de Technologie); 77,500 in CPGE (Classes Préparatoires aux Grandes Ecoles); 235,500 in BTS (Brevet de Technicien Supérieur); 506,500 in other kinds of public or private schools, such as the Business School or the

⁴ *Grandes écoles*: public or private higher education institutions distinct from universities, characterized by highly selective admission procedures and awarding degrees after five or six years of post-baccalauréat study in engineering, business administration, and other specializations. Examples of *grandes écoles* are the Ecole Polytechnique, the Ecole Normale Supérieure, which trains an elite of teachers and researchers in the letters and sciences, and the Ecole Nationale d’Administration, which trains senior administrative civil servants. *Grandes écoles* have their own accreditation system and educational projects, and in general enjoy great autonomy. They are usually small-scale establishments, with 300 yearly graduates at most.” (Musselin, 2004, pp. 136-7).

Engineering School. Therefore, 58.72% of the students were enrolled in public universities and 34.03% were undergraduates in those establishments (Nouvelle Université 2, 2008). This means that the majority of students attends to public universities and only a small minority goes to private schools or what have been called “elite schools” (Musselin, 2004). Therefore, public universities appear to be crucial to the future well-being of the state and one would expect the government to invest most of the budget for higher education in them. That is not the case. Every year, the state invests 6.700 €(about \$10,000) per student going to public universities, while it invests 13.100 € (about \$19,500) per student enrolled in CGPE (Nouvelle Université 2, 2008).⁵ It may thus be possible to speak of a “sponsored mobility,” although some students choose to go to the university instead of going to a private school because of its egalitarian ideal.

⁵ Even with the per capita, the overall amount spent on universities and private schools is different as well.

CHAPTER TWO

LITERATURE REVIEW

There is a scarcity of scholarly literature in regards to the recent reforms affecting French universities. Due to the recent nature of the *LRU*, the most useful information will be found in primary documents, such as policy documents and contemporary newspapers. In regards to the autonomy of universities, it is however possible to find some recurring themes or issues throughout the literature

Who Governs French Universities?

Gilbert Béréziat (2008), currently Vice-President for international relations at UMCP (Université Pierre et Marie Curie) and member of the committee of the Institutional Network of the Universities from the Capitals of Europe, wrote an article entitled “Radical Reform of the French University System” in which he criticizes the current university system for its lack of efficiency and in which he advocates for the autonomy of universities, as well as for the establishment of university fees - a highly controversial issue. It bears mention that, before holding his current positions, Béréziat was President of UMPC.

In the collective mind, increasing the autonomy of universities strengthens the power of presidents, a thought which worries professors who fear their freedom is threatened as a result. Stéphanie Mignot-Gérard (2003) attempts to debunk this idea or, at least, to qualify this idea in her article "Who Are the Actors in the Government of French

Universities? The Paradoxical Victory of Deliberative Leadership." She analyzes whether or not giving autonomy to universities impacted the "balance of powers" between executive boards, deliberative bodies and deans. Her conclusions are based on the results from both quantitative and qualitative data collection, more precisely from questionnaires and interviews of members of the three groups of actors. She comes to the conclusion that the new trend towards the autonomy of universities leads the presidents of universities to act like "managers," but that it does not endanger the balance of power between presidents and the legislative bodies. On the other hand, it creates tensions between presidents and deans who have different interests, respectively, institutional versus academic. One might think that her conclusions would be different if she were to carry on the same research today; however, this does not seem to be the case according to Boffo, Dubois, and Moscati. In 2008, they reached the same conclusions, although they only interviewed presidents of universities.

"A New Frontier"

Most authors agree that French Universities are going through a transformation and the word "new" is recurrent throughout the literature dealing French universities in the 2000s, and even in the late 1990s. Speaking of French Universities, Derouet and Normand (2008) ask the question: "Towards a New Academic Regime?", then refer to "the new spirit of 'academic capitalism'" coming from the United States and revolutionizing the French universities (p.27). Béréziat (2008) speaks of a "'New Frontier' for France." This notion of a New Frontier comes from the United States and it is interesting to see it transposed to the French context. This use of the word "new" is justified considering the fact that the Department of Higher Education created a new

website in order to present the current reforms and update the public about their evolutions, a website called *Nouvelle Université* (New University). Derouet and Normand argue that these changes signal a “break from the homo academicus conception inherited from the Middle Ages” (p. 32). Now, what kind of new is it?

French Universities and Educational Policy Borrowing

As surprising as this may be, it seems there are no scholars who used the term “policy borrowing” to refer to the current reforms affecting French universities. The only one who hints at policy borrowing is Vinokur (2010), in her article entitled “Current internationalization: the case of France.” Instead of speaking of policy borrowing, she uses the term “norm-taker.” France borrowed the university norms, or practices, from both the United States and the Bologna Process, or at least, she used their norms as inspiration to modify her governance system. Even if they did not explicitly referred a process of policy borrowing, many scholars also wrote about the Americanization and the Europeanization or, to be more accurate, the Bolognization of French Universities.

Americanization

In the present context, conquering a new frontier means borrowing policies from the West or, more precisely, from the United States. Throughout the literature on the autonomy of French universities in the 2000s, authors keep on referring to the Americanization of French universities, as well as of European universities. But what do they mean by “Americanization”? This phrase is used in very different contexts, such as cultural, political, economic, or educational. Americanization, while it is construed and represented differently by different stakeholders, generally refers to giving autonomy to universities, creating a campus culture, thus creating competition and attracting the best

students and faculty to their universities. Derouet and Normand (2008) argue that the egalitarian ideal of French universities is being challenged by what they called “the new spirit of ‘academic capitalism’” coming from the United States (p. 27). They explain that American universities heavily rely on external funding, such as grants by private institutions and the tuition fees they receive from students (p. 25), and they compete with each other by designing marketing techniques in order to obtain more funds and attract more students. Knowledge thus appears to have become a good that professors sell and that the students have been turned into consumers. Amarel and Magalhaes (2004), who “consider themselves Europeans” (p. 80), explain that

[t]he United States' recent proposal to the World Trade Organisation to consider education as a tradable service or commodity represents another large step in the process of commoditisation of higher education and may create a strong market competition that could endanger the core values of the university. (p. 88)

The commodification of knowledge is what some French people are afraid of in so far as it threatens equal access to education, thus the egalitarian ideal of French universities.

In 2001, the LOLF (Loi Organique relative aux Lois de Finances or Finance Act) was passed, a law that constitutes one of the key steps towards the autonomy of universities. Musselin (2007) explains that this new budgetary law forced universities to “develop global and consolidated budgets and to implement a program of outcome-based evaluation” which would necessarily lead to the autonomy of universities (p.724). As for Vinokur (2010), she hypothesizes that the *Assemblée Nationale* passed the LOLF “because some its tool of *governance* could be used by the central executive powers to impose the politically impossible overhaul of the *structure* of their public services, and in particular of their HE systems” (p. 212). However, as was said earlier “borrowing is not

copying” and this is partly because the context is different. According to Musselin, the LRU will not lead “less state” but to a “state in a different way” (2004, p. 129). The Americanization of the French University, in the sense of universities gaining more autonomy, thus seems to have its limits. Finally, it must be noted that, although some scholars interpret these measures as “Americanization,” others warn us that what “[t]he rest of the world sees [as] an invasion of the American system” may actually be “a brand-new global system” (Thurow, 2010, p. 1), a point which is developed further down.

Bologna Process – Knowledge Society, Harmonization, Standardization

The Bologna Process, Charlier and Croché (2008) argue, was created in order to compete with the American Higher Education system, and may have played a role in the development of the LRU. It followed the Sorbonne Joint Declaration on “Harmonisation of the Architecture of the European Higher Education System,” which was signed in May 1998. In 1999, the Bologna process was initiated, a program meant to create the European Higher Education Area (EHEA). The creation of the EHEA is thus the final goal of the Bologna Process and was supposed to be achieved by 2010. The EHEA should allow for “compatibility,” “readability,” and “comparability” between the European Higher Education systems (Europa, 2000). The Bologna Declaration was signed by 29 European states; however, in 2005, 16 other European countries signed the Declaration, which brought the total number of signatory states to 45. Little by little, the 45 Higher Education systems should converge and form the EHEA. The drafters of the Bologna Declaration insisted on the fact that “convergence” does not mean “standardization” or “uniformization,” and that they respect the “autonomy” and “diversity” of each national Higher Education system. However, the line between

convergence and homogenization is fine. Convergence will be achieved through three kinds of reform: curricular - creation of the LMD Licence-Master-Doctorat system and mobility; governance - making universities autonomous; and funding- multiplying sources of funding (Europa, 2000).

Therefore, the literature suggests the Bologna process played a role in the current reforms of the governance of French universities. Employability, mobility, and competitiveness have been identified as some of the major aims of the Bologna process (Amerel & Magalhaes, 2004). Some scholars actually argue that the promotion of student mobility contributes, and even aims, to the harmonization of higher education frameworks that will give shape to the EHEA (Papatsiba, 2006; Derouet & Normand, 2008). One may thus argue that, in order to attract more students from abroad and compete with other European universities, and to make French students more employable on an increasingly competitive market, the French government feel pressured to reform the governance of its universities. The European Union's Open Method of Coordination (OMC) might also have played a role in this reform, although, as will be explained later, the power of soft laws on European higher education systems is questionable.

Finally, the notion of "knowledge society" is at the heart of the European Union discourse. This phrase refers to a society where the knowledge of the people contributes to the economic development of the nation or continent. In a way, the "Europe of knowledge" could be linked to the concept of commodification of knowledge, which is especially feared by the left-wing of the French people. Amerel and Magalhaes (2004) suggest that

the Bologna process may be interpreted as another step in the neo-liberal movement to decrease the social responsibility of the state by shortening the length of pre-graduate studies and transferring responsibility for supporting employability to individuals through graduate studies: in essence converting education into a private good. (p. 80)

However, Derouet and Normand (2008) argue that, even if the current reforms in the French higher education system are “in line with the new European and international environment,” the national context should not be neglected (pp. 30-31). The public nature of the French University and its egalitarian ideal are tied to the French national identity. Privatizing universities would create violent reactions from students and such a reform would be very hard to pass. Musselin (2004) also warns her readers they should not assert that the new French University is being designed after a “European Model,” which does not even exist, and argues that we will need more time to evaluate the change that is happening within French universities (p.128).

Americanization ... or Globalization?

Thurow (2010) rejected a simplistic interpretation that would equate globalization with Americanization. He explains that “[t]he rest of the world sees an invasion of the American system, but in reality, it is a brand-new global system.” (p.1). In the twenty-first century, as people live in a more and more globalized world in which national frontiers are more and more permeable, the notion of transfer between countries is being increasingly challenged. Indeed, it has become hard to differentiate between transnational educational borrowing and the homogenizing effect of globalization on education.

Besides, Collet and Epstein (2009) explain that while globalization pushes countries to have more people getting a higher education degree, it also pushes educational systems towards decentralization, hence privatization. Therefore, it

endangers the idea of mass schooling and equal access to education (p. 26). From this perspective, one may argue that the current reforms in France are more the result of globalization than that of policy borrowing.

Steiner-Khamsi and Shriewer (2004) problematize the idea of an “international model of education” (p. 5). They explain that it has become common among scholars to talk about the internationalization of education. This is perfectly exemplified by Vinokur’s article (2010) entitled “Current internationalization: the case of France.” Did France borrow some policies from abroad or has its educational system been internationalized through globalization, whether or not the latter is an “imagined community” (Steiner-Khamsi, 2004, p. 4)? After analyzing the process of policy-borrowing, this question will be tackled in the thesis.

CHAPTER THREE

CROSS-NATIONAL ATTRACTION

In the case of French universities reforms, the impulses that triggered cross-national attraction are “internal dissatisfaction,” “negative external evaluation,” and the birth of a new world order (Phillips and Ochs, 2004, p. 778).

Internal Dissatisfaction

Regarding the first factor, “internal dissatisfaction,” the government, professors, staff, and students all expressed their discontent in regards to the university system, its poor infrastructure and governance. Although this discontent encompasses various topics, it crystallized itself into a general frustration about the poor conditions of work and study in universities.

In a TV news report (Lucet, 2006) dating from November 2006, presidents of universities appealed to the future presidential candidates so that renovating universities be a priority in 2007. Journalist Elise Lucet (2006) explained that “while universities are supposed to welcome the elite of the nation,” one third of the colleges in France are in bad conditions and need to be put to security norms. Walls are tagged, painting flakes away, bathrooms are dirty, ceilings are sometimes even crumbling, etc. In a 2007 New York Times article, the journalist Marco Chown Oved pointed out the lack of resources offered to students in French universities, which causes dissatisfaction:

The Sorbonne, France's most renowned university, has no cafeteria, no student newspaper, no varsity sports and no desk-side plugs for laptop users. It also costs next-to-nothing to attend, and admission is open to everyone who has finished high school . . . President Nicolas Sarkozy says this picture is emblematic of much that is wrong with France, which is seeking to recapture its luster as it sees its economy outstripped by Asian rivals and its voice in international affairs grow increasingly dim. (para. 1)

Every year, France spends \$9,500 by student while other developed countries spend \$13,000. Besides, as was mentioned previously, although CPGE have fewer students and more private money, the state invests more money in CPGE students than in college students. This is seen as an injustice and causes frustration among the university population. Olivier Vial, currently president of UNI (*Union Nationale Inter-universitaire* or Inter-University Union - a right-wing university organization made of professors, students and staff) argued that public state financing was not enough and asked for the “diversification of means.” According to him, local authorities should invest in universities and businesses should have incentives, such as financial benefits, to do so.

The President of the Sorbonne, Jean-Robert Pitte, insisted on the high percentage of drop outs: at the Sorbonne, 45% percent of the students drop out during their first year, and 55 % leave the university before they finish their degree. To Pitte, the absence of an entrance examination means that there is a "selection-by-failure" and that professors spend time teaching students who “have no real chance of success” (Oved, M. S., 2007, para. 14). Besides, he also lamented the lack of resources and the poor funding of French Universities. He would like to redesign the whole university system and he promotes the establishment of selection at the entrance of universities and tuition fees in

order to raise the standards of universities, “measures critics call ‘Americanization’”

(Oved, M. S., 2007, para. 7). To Pitte,

French universities "don't correspond to the needs of the economy, to French society, and even less to Europe and the world," Pitte said during an interview. "I'm pragmatic. I watch what happens elsewhere, and I'm for borrowing what works best." (para.8)

Since education in French universities is almost free and since there is no selective entrance examination,¹ the rate of student enrollment increased massively through time while funding did not (Derouet & Normand, 2008). Consequently, the students have been studying in inadequate conditions and the professors have had difficulty teaching in overcrowded classrooms or amphitheaters (p. 2). Because of the centralized nature of the university system, the latter all depend on the government for funding and they receive a very small amount of money that could not allow them to improve the buildings, which belong to the state, or to create more services for students. On the contrary, American universities can do that thanks to philanthropists and alumni, and to the fact they can control their own budget and invest in companies and other establishments - in other words, thanks to the freedom they have to manage their university as they want. It may thus be argued that the national, centralized governance of universities constitutes the original source of the bad conditions of universities and of people's dissatisfaction. As universities are public and centralized, their budget is very low and fixed by the government who also decides on many other human resources issues, thus leaving little room for investment and innovation that could make universities blossom.

¹ The *baccalauréat* is the “national high school leaving degree conferred after passing the examination of the same name; uniform throughout French national territory. The *baccalauréat* is officially the first university degree; as such it gives automatic access to university studies.” (Musselin, 2004, p. 135).

It is important to note that, although internal dissatisfaction is shared by students, professors, staff, and politicians, it does not mean they all think the solution to their problems is to be found beyond their national borders. This will be developed further in the thesis as we explore the implementation stage of the process of policy-borrowing and study the reaction to the implementation of the new law relating to the autonomy of universities and the creation of campuses.

Negative External Evaluation

The second factor for cross-national attraction is “negative external evaluation,” namely international college rankings. In 2008, Joel Bourdin, Senate member and President of the Senate committee for Forward Planning, submitted a data report (Bourdin, 2008) in which he analyzed such things as the results, accuracy, and impact of international rankings on higher education actors. Among the first hundred ranks in the Shanghai classification and in the Times Higher Education classification, American universities respectively hold fifty-four and thirty-seven ranks. The situation is different for France, which respectively occupies four ranks and two ranks in these rankings (pp.48-49).

These results purport to say that French universities are far behind American ones. However, are these rankings accurate? The European think-tank Bruegel argued that

rankings provide a certain type of university founded on the autonomy of institutions having financial means that match the ambitions that an industrialized country can legitimately provide for itself in terms of research.

[les classements promeuvent un certain modèle universitaire fondé sur l'autonomie d'établissements disposant de moyens à la hauteur des ambitions qu'un pays industrialisé peut légitimement se donner en matière de recherche.] (Délégation du Sénat pour la Planification, 2008, p.3)

This quote reveals two things: first, rankings are biased towards Anglo-Saxon college system models; secondly, however biased they may be, rankings played a key role in cross-national attraction and the creation of new reforms. Bourdin argued that, in both the United States and the United Kingdom, rankings have always had a great impact on the actions taken by stakeholders in the field of higher education. In France, it can now also be seen by the fact they want to have two French universities in the twenty-first best world universities and ten among the first hundred. In order to understand the impact of the classification, Bourdin surveyed 106 presidents of universities and obtained the following results: 71% think these rankings are “useful,” 61% have the goal of moving up in the Shanghai ranking, 83% “took concrete steps to better their international rankings” (p. 3). Although Pécresse, Secretary of the *MESR*, explained she would like to design a European ranking system, it is worth to note that she did not say that the Shanghai classification testified to the bad condition of French universities; instead she said, “le problème du classement de Shanghai, c'est son existence. On ne peut pas l'ignorer, car les étudiants du monde entier s'y réfèrent. La France doit rentrer dans cette bataille mondiale de la connaissance” [“the problem of the Shanghai classification is its existence. We cannot ignore it, because students around the world refer to it. France must enter this world knowledge competition” (Sérès, 2008, para. 3). In other words, whether the classification is reliable or biased is not what matter; what matters is that it is a reality

and people take it seriously. The *MESR* would like French universities to reach the top of international classifications and give visibility to the research done in French universities on the international stage.

New World Order

A third factor that could account for cross-national attraction is the competition created by international mobility. Nowadays more than ever, universities have to compete against each other on an international scale. It has become easier to study abroad and American universities attract the greatest number of foreign students, what is called the “brain drain.” The OECD counted that, in 2005, 22% foreign students studied in the United States, while only 9% studied in France, after the United Kingdom and Germany that respectively welcomed 12% and 10% foreign students in their universities (OECD, 2007, p.304). French education policy makers thus found it imperative to reform French universities and, to some extent, imitate the way in which the best ranked universities of the world function, although Pécresse insisted that the *Nouvelle Université* will “preserve certain specificities of the French system, notably regarding the low tuition fees” (Sérès, 2008, para. 3). This will be studied in the fourth stage of the policy-borrowing, what Phillips and Ochs call “internalization.”

It may be argued that international competition has led towards a convergence of models, especially with the recent creation of the EHEA, whose direct rival is the American higher education system. The EHEA has been officially launched in 2010, but its creation process started in 1999 with the Bologna Declaration. In this declaration, one of the main points was to “harmonize” the governance of universities throughout the

European Union, with the aim of competing against the United States. This will be developed further in the text, as one could consider globalization a phenomenon challenging the concept of policy borrowing (Beech, 2006, p. 10).

Pressures and Soft Laws

Although the LRU is partly the result of policy borrowing from the United States, one needs to look at the pressures the European Commission push towards autonomy of universities, so as to compete with American universities. There are visible pressures, such as international rankings, to which national governments attach much, if not overrated, importance. Gornitzka (2005) explains that “the normative pressure stemming from a desire to look good or fear of being embarrassed may be a strong mechanism for converging with the European definition of good policies and striving for performing well on the indicators” (p. 7). These rankings allow the world to know who the “good students” and who the “bad students” are (“students” being a metaphor for universities) and, to some extent, they represent a way to “discipline and punish” (Foucault, 1977).

The European University Association (Estermann, Nokkala, & Steinell, 2011) indicates that several documents defined autonomy as a key to the success of universities: The Bologna Declaration (1999), The Graz Declaration (2003), EUA’s Lisbon Declaration (2007), the EUA’s Prague Declaration (2009). All of these documents act as “soft law” and, as Karran puts it, “soft laws are often couched in such general terms so as to both dilute their impact and ensure that compliance may be readily achieved” (p. 13). The European Commission, the Council of Europe, the OECD, UNESCO, all exert “normative and mimetic institutional pressures” on European higher education systems

(Vaira, 2004, p.491). It is worth noting that not all pressures are visible and that there are some more subtle ones. In *Discipline and Punish* (1975), Foucault deals extensively with the notion of the Panopticon and, in his book on the creation of the EHEA, Tomusk (2006) links the functioning of Bologna Process through the European Commission to the functioning of the panopticon, or a state of surveillance (p. 296). This means that, there may not be a hard law forcing French universities to reform their governance, universities feel observed, thus pressured to fit in the norm.

In addition to benefiting from a positive image to the eyes of the international community, there is an economic reward. In *Governing Europe*, Walters refers to the notion of employability. In order to be “successful” citizens, students must be mobile and become marketable and employable. This employability is not only beneficial to the students who are going to get a job after their studies are over; it is beneficial to the growth of the EHEA, hence the economic well-being of Europe. Finally, the LRU includes the word “freedom”. But what is this freedom? Walters and Haahr (2005) argue that “the freedom of the common market is a peculiarly *instrumental* freedom . . . it becomes a tool of government . . . It becomes, for instance, a freedom of movement . . . subjects are defined in relation to categories of economic processes. Their rights are specific rights to perform functions in economic processes” (p. 63). In other words, the LRU may be seen as a “tool of the government” and the academic community as an economic resource in the creation of the EHEA.

Philosophy, Goals, Strategy, and Policy Attraction

What are the new objectives and strategies of the MES? Their guiding philosophy is two-fold: “make the University more attractive,” and increase its visibility and competitiveness. Currently, 90,000 students leave the university without degrees; 50% of the freshmen are failing after the first two semesters; one year after getting their degrees, 53% of the alumni are still looking for a job. The goal of the government is to have 50% of the youth getting a degree from higher education and to give them some training, which will lead them towards a successful professional future. As for increasing their visibility and competitiveness, especially in terms of research, they would like to have two French universities in the twenty first best world universities and ten among the first hundred. In terms of their strategy, the MES underlined the need to reform the governance of universities and to get free from the current “paralyzed governance.” They identified several problems with the current system of governance, among those: “a lack of leadership, a lack of transparency, and a lack of outward openness.” They argued that the presidents of universities have an exhausting mediating role, which prevents them from acting properly (Nouvelle Université).

In one of his early presidential interviews, in June 2007, Sarkozy (Chazal, 2007) expressed the reasons for cross-national attraction, more precisely his attraction to American universities. He started by arguing that “there is not one person who knows this topic [universities] that contests the fact that our universities have problems.” When the journalist, Claire Chazal, explained that people were afraid of selection and growing inequalities, Sarkozy simply dismissed her by replying that French people have always

been afraid of change, but that this opposition to change has led many students to study in *Grandes Ecoles* instead of universities and that, when families can afford it, they choose to have their children study abroad in the best universities in the United States and England. Therefore, selection and inequalities happen when French Universities cannot compete with foreign ones. Sarkozy lamented the fact that France, the 5th world power, still had its universities lagging behind foreign universities. For example, he complained about the fact that France does not have university “worthy to be called campuses,” in so far as they do not have “sports fields, libraries open on Sundays, theaters, dorms, etc” like in the United States. “Why are wonderful universities abroad and not at home?” he asked. He proposed to provide universities with more financial means so that they can become autonomous and develop campuses, or what he also coined *pôles d’excellence* (poles of excellence), such as in the United States. To Sarkozy, giving autonomy to universities means “trusting the college community”; to other people, it means “inequalities between universities.” In his mission letter, Sarkozy (Présidence de la République, 2007, para. 5) argued that

Dans tous les pays du monde, la réussite universitaire repose sur une plus grande liberté des universités pour recruter leurs enseignants et leurs chercheurs, moduler leurs rémunérations et revaloriser leur situation, choisir leurs filières d’enseignement, optimiser l’utilisation de leurs locaux, nouer des partenariats.

[In all the countries of the world, the *success* of universities lies in giving universities greater freedom to recruit their professors and their research professors, adjust their pay/income and reassert the value of their situation, choose their courses of study, optimize the use of their buildings, create partnerships.]

To Sarkozy, it is thus clear: autonomy leads to success, and the French Universities will be successful only if they follow the steps of American ones. It is interesting to note he

insisted on the fact that his ideas for reforms were not be based on “ideology” but were simply designed to increase the competitiveness of French universities and research and to create the best universities in the world. “Who could be against that?”, Sarkozy asked.

Having explained the factors that pushed the *Ministère de l’Enseignement Supérieur et de la Recherche* to look across their borders in quest of inspiration, I am now going to focus on the second stage of policy borrowing, as defined by Phillips and Ochs, that is to say “decisions” or the actual reforms undertaken by the government in order to improve French Universities.

CHAPTER FOUR

DECISIONS

Unofficial Discourse: Externalization as a Means to Legitimize Prior Decisions?

What has been described in the previous part may be understood in two different ways: the factors for cross-national attraction or the discourse about cross-national attraction. Indeed one may think that, although these factors may have had a role in the creation of the LRU, a cross-national attraction and policy-borrowing discourse was used to justify and legitimize Sarkozy's reform and that the decisions were made before any cross-national attraction happened. As Waldow (2011) explained, "[b]orrowing from 'reference societies' or international points of reference often serves the function of creating *legitimacy* for certain policy agendas at home" (p.420). In the present case, the "reference society" is the United States and the "international points of reference" are international rankings. This could also be called *externalisation to world situations* and *externalisation to the principles and results of science*, which Waldow presented as one of the most popular way of legitimizing policy-borrowing. Externalization is a concept developed by Luhman and explained by Waldow in the World Yearbook of Education 2012 (2011). Externalization is when, in a society, sub-systems such as education, religion, law, politics, "use *external* points of reference from their environment, which are then processed within the system" (p. 420). However it is crucial to understand that externalization does not necessarily imply policy-borrowing. It is a discourse that may

or may not be translated into action. Waldow defined externalization as follows:

denotes a form of *reference* to an external point...‘Reference’ only means that something is being referred to, not necessarily that anything is actually being transferred...It is a discursive formation that lends itself particularly easily to purposes of producing legitimacy.” (p. 419)

When one looks at Sarkozy’s economic policy agenda, one realizes that the LRU might not be the result of “geographical borrowing” but of what Steiner-Khamsi called “cross-sectoral transfer” which refers to “borrowing from other social sub-systems” (p.420). Although the LRU is inspired by American universities, it is also part of what is called *la modernisation de l’état*. This modernization started in the 2000s with the *Loi Organique relative aux Lois de Finances* (LOLF - August, 2001), which is a deep reform of the national budget, and included the *Révision générale des politiques publiques* (General Review of Public Policy, June 2007), which is designed to review public policies and evaluate whether or not they are efficient, so that money be spent solely on policies that work. The aim is to “lead administrations to move from a logic of means to a logic of results” (La Documentation Française).

Sarkozy referred to the *Révision générale des politiques publiques* in his Letter of Mission to Pécresse (Présidence de la République, 2007), explaining that the LRU should be in line with this strategy. It is therefore logical that the LRU be oriented towards a culture of performance and evaluation. Indeed, as we are going to see in the next section, Sarkozy asked Pécresse to design ways of evaluating the progress made in regards to the number of graduates, the rank of French universities in international rankings, research and publication increase, and the number of foreign students and professors in their universities (*La Documentation Française*). The LRU thus inscribes itself in the logic of this modernization. However, even if the LRU was the result of cross-sectoral transfer,

this economic reform was also borrowed from elsewhere, notably from Canada as Sarkozy mentioned in this letter. Therefore, geographical policy-borrowing still happened at some other level. This shows us how multi-layered the process of policy-borrowing is, which Rappleye (2011) underlined when he wrote,

That transfer now occurs at the sub-national level via a multiplicity of potential ‘external’ sources at the initiative of an increasing number of globally connected ‘local’ actors means that policy transfer no longer ‘arrives’ in a coherent, cohesive package where one can map clear lines of flow, distinguish between internal/external or easily understand the drivers of policy ‘import’. (p. 412)

It has indeed become difficult, if not impossible, to precisely identify the various sources for borrowing, their trajectories, and timeline. What is certain about the LRU is that there is more to it than a mere borrowing from American universities.

Official Discourse

I am now going to describe the official discourse regarding the way in which the LRU was developed. We know why it was created: its purpose is to increase excellence, competitiveness, and attractiveness. We now need to ask two questions: What was borrowed? What are the decisions that have been made? However, first of all, we must address the question of agency that comes before: who made the decisions?

Sarkozy's Vision

At the root of the LRU is President Nicolas Sarkozy. On May 16th, 2007, he became President of the French republic and, on July 5th, 2007, he wrote his Letter of Mission to Valérie Pécresse in which he presented his vision for the *Nouvelle Université* and asked Pécresse to draft a bill that would match the following vision and strategy:

Vous présenterez au Parlement un projet de loi réformant la gouvernance des universités et leur permettant d'accéder à de nouvelles compétences et à de nouvelles responsabilités dans un délai maximum de cinq ans. Dans tous les pays

du monde, la réussite universitaire repose sur une plus grande liberté des universités pour recruter leurs enseignants et leurs chercheurs, moduler leurs rémunérations et revaloriser leur situation, choisir leurs filières d'enseignement, optimiser l'utilisation de leurs locaux, nouer des partenariats.

[You will present to Parliament a bill to reform the governance of universities and provide access to new skills and new responsibilities within a maximum period of five years. In all the countries of the world, the success of universities lies in giving universities greater freedom to recruit their professors and researchers, adjust their income and reassert the value of their situation, choose their courses of study, optimize the use of their buildings, and create partnerships.] (Elysée, 2007, para. 5)

Sarkozy thus made it clear that giving more freedom to universities would lead to their “success.” Besides, throughout his letter, Sarkozy emphasized the idea of competition on a world scale. He argued that the existence of a “bataille mondiale de l’intelligence” [“world intelligence fight”] meant that France needed to reform its universities and make them more competitive. He pointed to the high rate of failure in *licence* and the need to improve professional insertion. Sarkozy outlined the main themes of the reform he wished for. First of all, there is a need to have better buildings so that students have better study conditions. Secondly, universities need to facilitate professional insertion. Sarkozy also asked Pécresse to locate universities that have the potential to become campuses with an international reputation, and other universities in regions that could become reputable on the European stage. As for professors, they should do more research and their teaching should be evaluated in a systematic way, as done in the United States. He explained that although the state would provide more financial means, this would not be enough to put French universities in good shape. Deep reforms are needed and it is necessary to reevaluate the way money and resources are distributed and used. The goal is to have universities renowned throughout the world,

with the best researchers and professors, so that students become better qualified and find jobs more easily.

When looking at the official discourse of pro-American Sarkozy and his government, it thus appears that he made direct references to the United States as the society from which he would like to borrow the autonomy of universities and the campus culture, but he did not define the autonomy of universities in precise terms. It is as if he referred to a vague idea of what he thought this autonomy of American universities was, an imagined American model of higher education. This letter of mission thus outlined a vision, a general strategy, and it was the task of Pécresse and the MERS to draft a bill that would correspond to this vision and strategy.

What Was Borrowed?

The present study is not a strict case of policy-borrowing. In other words, no precise policy was borrowed or transferred from the United States to France. Instead, what was borrowed are “identifiable aspects” of governance (Halpin & Troyna, 1995). In the case of the United States, there is no such thing as a federal policy document that would define the governance of universities across the nation. Each university defines their own governance and, unlike France, the United States does not have a national system of higher education. As Thelin (2004) explained, “[n]umerous visionary proposals to create a ‘national’ university were either delayed or diluted” (p. 42). Sometimes, states give constitutional status to their universities:

...in these states, the constitution elevates the university beyond the condition of a mere agency of the states....these autonomous universities are independent of legislative and executive control over all matter pertaining to the internal working of the university. (Alexander & Alexander, 2010, p. 36)

Therefore, each American university is in charge of defining their own governance, contrary to French universities whose governance is defined by the *Ministère de l'Enseignement Supérieur et de la Recherche*. Despite this lack of homogeneity among American universities, the American system of higher education is generally market-oriented and favors an entrepreneurial kind of governance (Derouet and Normand, 2008) that gives more freedom, but put emphasis on competition and evaluation. One may argue that these aspects of governance have become part of international standards and could be seen as the result of globalization. As Vaira (2004) explained, “[t]he globalization's meta-myth could be conceived as a collection of rationalized myths characterizing the world polity” (p.487) and these myths include a “minimalist state,” and “entrepreneurialism/managerialization” (p. 488).

Therefore, what France borrowed is more an idea. Indeed, Sarkozy did not define the autonomy of universities in precise terms. It is as if he referred to a vague idea of what he thought this autonomy of American universities was, to an imagined American model of higher education. He left the task of defining this autonomy to Pécresse and the MERS. What can be said is that the idea of autonomy of university and the kind of autonomy Sarkozy wants to give to universities is essentially financial and managerial. However, as we will see, although the new law incorporates some aspects of American governance, the autonomy of university in France presents many differences, which are linked to the context and history of France.

The Making of the LRU

Pécresse launched a consultation phase on May 31st, 2007. She created three work groups that respectively worked on the following: “la question de la gouvernance

universitaire,” [“the question of governance of universities”], “le périmètre de l’autonomie des universités” [“the perimeter of the autonomy of universities”], “la charge des modalités d’accompagnement de la réforme” [“the attendant terms of the reform”] (Nouvelle Université).

After discussing for sixty hours with representatives of the academic community, they were able to present a draft to all partners in June, then the text was discussed with the *Conseil national de l’enseignement supérieur et de la recherche* (Cneser) in consultation with the French President and another text was then drafted, which became the bill. In her assessment of the consultation (Nouvelle Université 3, 2007), she explained that, although they tried to take into consideration the remarks of the various actors, they could not include all of them into the bill because the project corresponded to a strategy put forward by the president, a strategy which she believed in and had to respect. The *Ministère de l’Enseignement Supérieur et de la Recherche* outlined five major plans: improve student life’s conditions, such as housing and the scholarship system; make universities more attractive to professors and staff; improve research conditions for professors (building, material, and technology); get young researchers more involved in the university; increase the rate of success in *licence* and professional insertion

In early July 2007, Valérie Pécresse first spoke in front of the *Conseil économique et social*, then presented the bill to the *Conseil des Ministres* and the *Commission des affaires culturelles du Sénat*. On July 11-13, the bill was read in the Senate for the first time. On July 17-18, the bill was considered by the *Commission des affaires culturelles, familiales et sociales* by the *Assemblée Nationale*. On July 23-25, the text was examined

by the *Assemblée Nationale* in a public session. On August 1, the text was examined by the *Comité Paritaire Mixte*. Finally, on August 11th, the law related to the freedoms and responsibilities of universities was published in the Official Gazette (*Nouvelle Université*).

The LRU: New Liberties & Responsibilities

What does the new reform include and what are the new liberties and responsibilities of universities? We will now examine the law n° 2007-1199 dating from August 10th, 2007 (Légifrance 1, 2007).

The LRU (Article 6 or L712-2) endows the president of each university with more responsibilities, which the *Ministère de l'Enseignement Supérieur et de la Recherche* argued, make him or her more “legitimate” (*Nouvelle Université* 4, 2007, p.6). The president is elected by the *Conseil d'Administration* (equivalent to the Board of Trustees) by an absolute majority of the votes for a period of four years, instead of being elected by the three other councils (*Conseil d'Administration*; *Conseil Scientifique*; *Conseil des Etudes et de la Vie Universitaire*) for five years, as was the case under the 1984 law. The president can be elected among professors, staff, external personalities, regardless of their nationality, and may be reelected once. He or she is in charge of nominating the external personalities or economic actors who sit on the *Conseil d'Administration*. The president must now submit a yearly report to the *Conseil d'Administration*, which will determine whether or not he or she may be reelected. Finally, the president is now in charge of distributing bonuses to professors, which is a ground-breaking measure in French universities (*Nouvelle Université* 4, 2007).

The *Conseil d'Administration* (Article L712-3). is composed of twenty to thirty members instead of sixty: eight to fourteen professors or adjunct-professors; seven to eight external personalities nominated by the president: at least one CEO and one social or economic actor, and two or three representatives from the territorial collectivities; three to five students; and two to three staff members. The *Conseil d'Administration* defines university policies, budget, rules of procedure, rules for bonuses, job distribution, and student examination rules, and approves the yearly report submitted by the president. The *Conseil d'Administration* thus gained more power and became a “strategic organ” of the university (Nouvelle Université 4, 2007). The *Conseil Scientifique* (Article L712-5) consists of twenty to forty members: 60 to 80% professors, engineers and technicians; 10% to 15% doctoral students; and 10 to 30% professors from outside the university. It gives its opinion on such things as policy guidelines for research, scientific and technical documentation, the distribution of research funds, and the tenure of professors. The *Conseil des Etudes et de la Vie Universitaire* (Article L712-6), or CEVU, also consists of twenty to forty members: 75 to 80% research professors and students; 10 to 15% administrative staff and workers; 10 to 15% external personalities. Each university has to create a *Comité Paritaire Technique* (Article L951-1-1) whose task is to guide universities in regards to human resources management. For each job, a *Comité de Sélection* is created by the *Conseil d'Administration*. This *Comité de Sélection* replaces the *Commissions de Spécialistes*. The new committee is made of six to twelve people. The president has the right to veto the appointment of research professors, so as to make sure the recruited professors are in line with the strategies of their university (Nouvelle Université 4, 2007). Lastly, a career center must be established in each university by

resolution of the Conseil d'Administration after consultation with the CEVU. The *Ministère de l'Enseignement Supérieure et de la Recherche* underlined the fact that this will give power to the voices of students.

In addition to holding many seats in the governing bodies of universities as mentioned above, businesses are given more liberties and responsibilities towards universities. Two new foundations were created to encourage businesses to invest in universities: university foundations without legal personality and partnership foundations. Besides, the law supports the patronage of universities, another groundbreaking measure for French universities. As was mentioned above, a career center was created to facilitate the professional insertion of students and to create a bridge between students and businesses (Nouvelle Université 4, 2007).

Finally, Articles 18 and 19 of the LRU provided that the wage bill ceiling be transferred from the state to universities. The law gave universities five years to transition towards *Responsabilités et Compétences Elargies* or Extended Responsibilities and Competences, that is to say more freedom in human resource management and property holdings. Being responsible for their own property will allow universities to develop campuses, as in the United States.

These are some of the new freedoms and responsibilities given by the LRU to the different decision-making bodies and actors of the French University. In order to understand what they mean for the academic community, we need to analyze the way it was received, notably how it was received by students and professors.

CHAPTER FIVE

RECEPTION AND IMPLEMENTATION

How this law was received by the French people and how it was implemented will be the object of this part. This chapter corresponds to the third stage in Phillips and Ochs's theory, otherwise called "Implementation."

The publication of the LRU triggered various waves of opposition from the university community that spanned from 2007 to 2009. A first movement of opposition, especially from students, developed in 2007. A second one developed in 2009, a movement which was much bigger than the first one and involved the whole academic community. How did they resist and why has there been so much resistance against the LRU? This is what we are going to explore in this part.

In his speech on French National Strategy for Research and Innovation (Présidence de la République, 2009), Sarkozy explained that he knew that the implementation of the new reform regarding the autonomy of university would create tension and opposition, as it alters the old centralized system which is so ingrained in French society. He mentioned that if it were easy to reform the French system, it would have been done by his predecessors. Indeed, the president underlined the difficulty of reforming French institutions when he asked: "Est-ce qu'il suffit de dire que c'est une organisation 'à la française' pour considérer que l'on a clos le problème, refermé le dossier, exploré toutes les pistes?" ["is it enough to say that it is an organization *à la française* to

consider the problem is solved the case closed, all other paths explored?”] (Présidence de la République, 2009). In other words, the new reform challenged the national character of French institutions and the President ironically wondered if, in 2009, France could have remained remain isolated from the change that has been taking place in other universities around the world. But what exactly is this national character? This is a question that will need to be addressed as we try to understand the roots of the resistance from French universities.

Values of the French Revolution

In order to understand the reactions of the French academic community against the LRU, it is crucial to understand the pillars of French identity. The French motto tells us about the three concepts that are considered sacred by the French people: “Liberty, Equality, Fraternity.” It is worth noting that the American motto includes liberty as well, but not the two other concepts; instead they have life and the pursuit of happiness. In France, liberty is thus tied to the idea of equality and fraternity. This seems crucial to understand what liberty (and the law on the Liberties and Responsibilities of Universities) means for the French people.

To understand the different meanings liberty has to the French and to the American people, we need to look at what happened during the 18th century with the philosophy of the Enlightenment, without which the French and American revolutions might have not taken place or, at least, would have happened differently. Two authors seem to be particularly relevant to this discussion: French philosopher Jean-Jacques Rousseau and English philosopher John Locke. Although both men influenced the

drafting of the American constitution, I would argue that the French idea of freedom and of what constitutes civil rights is more anchored in Rousseau's philosophy, while the American idea of freedom is more rooted in the philosophy of John Locke. In *The Social Contract*, Rousseau (1762) explained that, at the beginning, in the state of nature, men had absolute physical freedom, but that this meant they were the slaves of their own desires. In order to live in a society in a peaceful way, he argued they needed to establish a social contract that admittedly limited their physical freedom but that would give them civil liberty, which Rousseau deemed superior to the former type of liberty in so far as they would then be using reason to tame their desires for the good of society as a whole. In his book chapter entitled "Whether the General Will is Fallible," he introduced his concept of the General Will:

There is often a great deal of difference between the will of all and the general will; the latter considers only the common interest, while the former takes private interest into account, and is no more than a sum of particular wills: but take away from these same wills the pluses and minuses that cancel one another, and the general will remains as the sum of the differences. (para. 2)

Rousseau thus had a collective understanding of the concept of liberty. If the General Will was respected, men would live in an equal society in which men were free. One may thus argue that Rousseau favored social freedom over individual freedom. On the contrary, Locke seemed to value individual freedom more than social freedom, with his emphasis on the right to individual property. This difference seems to be represented in each society: for example, the welfare system is a good example of what fraternity means to the French people. Indeed, all French people have health social security. The French *Code de Sécurité Sociale* specifies that "the organization of social security is founded on

the principle of national solidarity” (Article L111-1). The existence of such a system is tied to the values of fraternity and equality, which were mentioned earlier.

Besides, while Rousseau supported direct democracy, Locke supported representative democracy. During the university protests of 2007-2009, a great number of *Assemblée Générales*, commonly called *AG*, have been held by Student Unions in French universities. These meetings represent time during which the university community can debate about certain issues and take decisions after voting by a show of hands. This type of practice shows that, in France, participatory democracy is very strong and students in universities value the general will. This is why the new governance of universities cannot be satisfactory to left-wing students. First of all, economic actors have too much power compared to students. And, besides, communist students, who are on the extreme left of the political spectrum, would rather keep universities centralized so that money be distributed in an equal way to each university.

Resistance

Students' Resistance

In France, from 2007 to 2009, university movements have been reminiscent of May 19 68. In order to protest against what they saw as the end to democracy, some students barred the entrances with chairs and tables from classrooms and others set up *barrages filtrants* (filter dams), another common way of protesting for French students. I was a student in France at the time and she could not attend her classes during the whole Spring semester 2009 as universities were inaccessible for more than fifteen weeks. Some students even slept inside their universities as a sign of protest and were sometimes

expelled from them. Finally, students protested for months, in the streets of France, against the new reform announced by Valérie Pécresse (Lechevallier, 2009).

One of the main reasons students protested against the LRU is because, although the law mentioned that education in universities would remain free and opened to everyone, they were afraid that, little by little, the autonomy of universities would lead to their privatization. To put it another way, they feared the “Americanization” of the French universities (Oved, 2007, para. 7). This fear about what could potentially happen in the future is linked to such things as the growing number of business actors in the decision-making bodies of universities. Students are afraid universities may become ruled by economic interests instead of intellectual ones. Besides, the autonomy of universities meant they would start competing against one another, which would create inequalities between universities and between students depending on where they live and what they can afford.

Many students see the university system as a meritocracy and want to preserve it. On the other hand, they see the *Grandes Ecoles*, private institutions which produce the elite, as a plutocracy. Left-wing students think of the *Grandes Ecoles* as anti-egalitarian. To Simon Vacheron, a sophomore student in History, “[e]ducation is a public service and should be open to everyone regardless of their economic situation” (Oved, 2007, para. 17). According to him, increasing public money would solve the problem. In addition to their opposition to entrance fees, these students are opposed to the idea of selection. Universities are grounded in the ideal of equality: “It allows everyone to take their chances,” said Maxime Lonlas, president of AGEPS, the Sorbonne's largest student

union. Instead of being judged on past accomplishments, each student ‘can be judged on his or her performance’” (Oved, 2007, para. 17-19).

In October 2007, the first strikes thus started and *the Collectif Etudiant Contre l'Autonomie des Universités* (which may be translated as the student collective against the autonomy of universities) was created by student unions such as *SUD Étudiant*, *la Fédération Syndicale Etudiante*, *Union des étudiants communistes* and *Jeunesses communistes révolutionnaires* (Normier, 2007). The *Fédération Syndicale Etudiante* reproached the state with disengaging from universities and encouraging competition, which would ultimately lead to inequalities. These student unions protested against what they called the “capitalization of higher education.” According to them, “la lutte ne peut pas s'effectuer au sein des instances universitaires car celles-ci ne servent qu'à entretenir une illusion de démocratie au sein de l'Université” [“the fight cannot be led within the decision-making bodies of universities because they serve only to maintain an illusion of democracy within the University”] Indeed, they argued that students were not represented as they should have been in these bodies. As for the *Union des étudiants communistes*, they define themselves as follows:

Nous, étudiants communistes, luttons contre toutes les formes de dominations. Nous voulons un monde de paix, de partage des savoirs, des pouvoirs, une économie au service du développement humain, du respect de son environnement. Pour notre part cette volonté, cette perspective, nous la nommons communisme.

[We, communist students, fight against all forms of domination. We want a world of peace, shared knowledge and powers, an economy that serves human development, respect for its environment. For us, this will, this perspective, we call it communism.] (Union des Etudiants Communistes, n.d.)

While the communist student unions wanted the repeal of the *LRU*, the *Union Nationale des Etudiants de France* (UNEF), the largest student union in the nation and close to the socialist party, thought this was not feasible and disagreed with their methods of protests. Instead, they asked the government for amendments of the law (Barotte, 2007). However, in 2009, the UNEF became more vocal and joined the communist student unions in their radical protests (Agence France-Presse, 2009).

What do these movements tell us? There seems to be a strong link between French universities and the left wing, whose ideals are grounded in the values of the French revolution: Liberty, Equality, Fraternity. Indeed, Pitte (Chown Oved, 2007) explained that “[the Sorbonne] is all the more difficult to change because it has an intrinsic link to the Left Bank intellectual history of Paris, which students are keen to preserve” (Oved, 2007, para. 15). As we saw in a previous part, students often complained about the poor student life conditions in French universities, but at the same time they were afraid the new reform would lead to the privatization of French universities. One may then wonder if education in France amounts to the dilemma “Quality vs. Equality” which already existed in the 1980s under socialist president Francois Mitterrand (McGrath, 1983).

Will it ever be possible to break from the Napoleonic system of universities, one may then wonder. Michael Sadler, one of the most important figures in the history of comparative education, wrote that “[a] national system of Education is a living thing, the outcome of forgotten struggles and difficulties, and ‘of battles long ago’. It has in it some of the secret working of national life” (Phillips & Scheisfurth, 2008, p. 18). The “secret

working of [French] life” may be tied to the notion of equality. Indeed, Pierre Merle, a French sociologist and professor in one of Paris’ universities, explains that the French system of education has been grounded in the myth of equality and that this myth represents an obstacle to any reform that would endanger this ideal (Merle, 2008).

Professors’ Resistance

While the protests were started by students in 2007, the professors were the first to organize strikes and protests in 2009. This is because this movement was born out of an accumulation of dissatisfactions, among which the LRU, the status of research professors, and the evaluation of professors. Moreover, Sarkozy’s speech on the state of French research upset many professors and researchers and triggered lots of protests. In this speech, he completely lost his legitimacy in the eyes of the academic community (Elysée, 2009). As pointed out by the title of the newspaper article "French President Attacks 'Infantilizing System' of 'Weak Universities'" (Labi, 2009), Sarkozy used the word “infantilizing” to describe the current system of universities. He would like universities to take more responsibilities, like a child would when he or she steps into the world of adults. The language he used in his speech was seen as violent and offensive to the academic community and triggered lots of violent reactions among students, staff, and professors alike (Labi, 2009).

Sauvons l’Université!

The opposition of the academic community against the LRU crystallized itself into the creation of an organization called “Sauvons l’Université!” (“Let’s Save the University!”). This organization defined their purpose as follows:

L'association *Sauvons l'Université!* se destine en priorité à la lutte contre la loi LRU, parce que cette loi constitue une attaque inédite et agressive contre la qualité de l'enseignement supérieur et de la recherche, les principes de collégialité et de consultation essentiels à leur fonctionnement. Les membres de l'association *Sauvons l'université!* considèrent que l'université conçue par cette loi, et que la méthode choisie pour imposer cette dernière, constituent une liquidation inacceptable de la mission sociale, intellectuelle et démocratique de la recherche, de l'enseignement et de l'éducation.”

[The association *Sauvons l'Université!* is primarily intended to fight against the LRU, because this law constitutes a new and aggressive attack against the quality of higher education and research, the principles of collegiality and consultation essential to their operation. Members of the organization *Sauvons l'Université!* consider that the university conceived by this law, and that the method chosen to impose the latter, constitute an unacceptable liquidation of the social, intellectual and democratic mission of research, teaching and education.] (“Pour adhérer à Sauvons l'Université!”, 2009)

As mentioned in the previous part, the LRU introduced new measures regarding the evaluation of Professors. The latter are now to be evaluated by presidents of universities and the *Conseil d'Administration*, which is seen as unfair by professors, who argue that they are not qualified to evaluate them properly. Moreover professors were afraid of “localism”, that is to say “a university of friend” where there could be bias and favoritism towards some professors (Vogel, p.65). The idea of evaluating professors was taken from the USA, however the methods differ. Vogel explains that evaluation of professors in France should be multicriteria and multiform and include universities, independent agencies, students, and professional agents, as it in the US. However, because professors were so vocal, the original law changed and, in a way, it represents a step backward since professors will now be half evaluated nationally by the CNU (*Conseil National des Universités*) and half evaluated by their universities.

In addition, presidents now have the power to distribute bonuses to professors as a reward for what is deemed positive and efficient work. Those who publish more works will get bonuses and will be able to spend more time doing research, while other professors will teach more classes. First of all, that teaching be seen as punishment is outrageous to French professors. Secondly, with the new reform, professors' main concern will be to worry about their "factor h" designed by Jorge E. Hirsh in 2005 or "impact factor" from Thomson Reuters, which measure the number of articles published and the number of times it is cited. To French people, this system amounts to "publish or perish." Sylvain Piron (Chamayou, 2009) argued that these indicators "cease to be a measure to become an end in themselves which influence the behavior of actors. What now counts is to publish a maximum of articles, not scientific discovery" (para. 35) Louis Vogel (2010) argued that the result of these evaluations is biased since all disciplines do not have the same number of reviews, added to the fact that human and social sciences reviews are sometimes disregarded (p.64). Besides, a controversial article may be cited more often than an article with which most people agree. All in all, French professors have many reasons to disagree with this evaluative method. Grégoire Chamayou (2009), philosopher and professor at Université Paris-Ouest offered an interesting analysis of this particular reform. He argued that the "values" or "virtues" of scientific research have changed: instead of having Robert K. Merton's values of "universalism, communalism, disinterestedness, and organized skepticism," we now have "anglo-americanism, competitive private ownership, personal ambition, calculated conformism" (para. 34).

Therefore, to French professors, the meaning of autonomy as it appears in the LRU does not mean the academic autonomy of professors but the managerial autonomy of university presidents, instances of evaluation and funding agencies.

Results of Protests

What was the result of all these protests? As a matter of fact, although Pécresse made some slight modifications to the original text, such as changing the modalities of professors' evaluation, she and Sarkozy maintained their position and did not repeal the text. In the end, these protests hurt the students who could not go to class for nearly a semester and whose graduation was at stake. It also hurt the image of French universities worldwide as protests were in the headlines of many newspapers for weeks, if not months.

Audits of University Presidents

Universities did not become autonomous overnight. How then did it happen? This change was progressive and there have been various waves of universities gaining autonomy. As mentioned in the previous part, the first goal of the *Ministère de l'Enseignement Supérieur et de la Recherche* was that twenty universities be autonomous by January 1, 2009. Thirty presidents of universities were to be audited by August 2008 by the IGAENR (*Inspection Générale de l'Administration de l'Education Nationale et de la Recherche*). This list was established from responses to a survey sent to all universities asking about their intentions and their calendar regarding their transition towards autonomy. The purpose of these audits was to help universities know their weaknesses and strengths in terms of human resources management, financial management, and

patrimonial and information system management. It was meant to guide them so that they know how to do a successful transition to the new law (*Nouvelle Université*). As universities gained extended powers in budgetary matters and human resource management, Pécresse reminded the rectors of their responsibilities, that is to say making sure universities' actions are legal and submitting a yearly report to the Minister of Higher Education. In January 2009, eighteen universities actually became autonomous; thirty-three others became so in January 2010, and 22 others gained self-governance in January 2011. In total, 73 universities have become autonomous, which means 90% of French universities (*Ministère de l'Enseignement Supérieur et de la Recherche*).

That university be autonomous on paper does not mean they are autonomous in fact. Have French universities completely internalized the LRU? This question will be the object of Chapter Six, which deals with the fourth and last stage of Phillips and Ochs' model: internalization.

CHAPTER SIX

INTERNALIZATION AND APPROPRIATION

Definitions

In Philips and Ochs (2003) policy-borrowing theory, the fourth stage is called “internalization/indigenization.” They explain this stage as follows: “The policy 'becomes' part of the system of education of the borrower country” (p. 456). This definition seems to apply for the word “internalization.” However, the two authors did not define the word “indigenization”; instead they referred to indigenization “as it has been termed” (p. 451) or “called” (p. 456). The term “indigenization” is not synonymous with “internalization”. It implies a transformation or “local adaptation” so that the policy becomes suitable to the soil in which it is sowed. Indeed, in other scholarly comparative education works, some speak of adaptation, as is the case of Steiner-Khamisi (2004), who explained that “borrowing is not copying. It draws our attention to processes of local adaptation, modification” (p.5). Others speak of appropriation, such as Carol Anne Spreen (2004), in her article “Appropriating Borrowed Policies: Outcomes-Based Education in South Africa.” Although these words are semantically close, they are not synonymous. What are the nuances between both terms? One may argue that when there is appropriation, there is an elimination of the source or the original version - as Spreen explained, “this stage is characterized by ‘a vanishing origins of the international origins or external references to’ the borrowed policy (pp. 110-111). On the other hand, when

there is adaptation, the source is not concealed.

In the case of French universities, it seems therefore more accurate to speak of appropriation and internalization. I would argue that appropriation actually happens twice in the policy-borrowing process. The first appropriation or transformation happened during the elaboration of the policy text, that is to say stage two of Phillips and Ochs' temporal model (Figure 1). Indeed, the governance described in the LRU is not a perfect copy of the governance of American universities. French policy-makers only borrowed some aspects of the governance of American universities. Even if they wanted to faithfully copy the way American universities are governed, they could not achieve this since, as was pointed out earlier, the U.S. does not have a national system of higher education. This does not mean that the governance of American universities is necessarily different from one university to another since, to some extent, norming pressures have a homogenizing effect on the governing bodies of universities in the US. It simply means that there is no single document that defines the governance of American universities, and which would allow us to make a precise comparison with the LRU.

The second appropriation happened during the implementation of the policy, which means that when the policy text or discourse is translated into action within universities, the resistance from the people added to particularities of each university transforms the text. In this part, I will thus analyze the way French universities appropriated the text and attempt to assess to what degree they internalized it, after first pointing out the various challenges which such an analysis presents.

Challenges

Although Philips and Ochs (2003) argued that “it is possible to assess [the] effects [of the borrowed policy] on the pre-existing arrangements in education and their modus operandi” (p. 456), how to assess these effects is a problematic issue, especially when one is not on the ground doing an ethnographic study. Below are two reasons why assessing these effects constitutes a difficult task.

First of all, the reform is recent and not all universities have become autonomous yet. The LRU was created in 2007 and provided that all French universities, that is to say a total of eighty-three, be autonomous by 2012. In January 2011, 90% of these universities were autonomous and the national website for higher education informs us that all universities will be autonomous by the end of 2012.

Secondly, it is hard to evaluate the way French universities appropriated the policy by doing a document analysis. In order to properly work on the fourth stage of Phillips and Ochs’ model, one would need to be in France and conduct an ethnographic study. This is what Rappleye (2011) did in his analysis “Towards ‘thick description’ of educational transfer.” What can be done in the framework of the present thesis is a discursive analysis. It is therefore only possible to partially assess the appropriation and internalization of the reform by French universities.

From Policy Formulation to Policy Implementation

As Shriewer (2009) rightly underlined, there is a difference between “policy formulation” and “policy implementation” (p. 44). In other words, the LRU text, when translated into action, is transformed because the context in which it is sowed is different. Schriewer (2009) spoke of “policy implementation as a form of recontextualization”

(p.44) and Phillips and Ochs (2003) underlined the importance of context, explaining that “contextual interaction’ ... affects the potential for policy implementation” (p.457).

The issue of context was already tackled in Chapters One and Four, which dealt with the different philosophies and values of the French and American cultures. In addition, as was mentioned at the beginning of this study, autonomy does not have the same meaning in all the countries of the world, a point which Schriewer (2009) also brought out when he explained:

recontextualization mechanisms are conditioned by culture specific dimensions of meaning that continue to be alive in, and to shape in turn, the traditions, institutions, and patterns of interpretation prevailing in a given society. (p. 47)

It is therefore no wonder that the autonomy of universities looked different in the United States, in France, and in the rest of Europe. As I will show below, the French national context limits the degree of autonomy in universities.

The Limits of Autonomy in French Universities

The law n° 2007-1199. Article 51 provided that a follow-up committee, named *Comité de Suivi de la loi LRU*, be created in order to evaluate the LRU. This committee is made of two deputies and two senators, nominated by their respective assemblies. Every year, this committee submits a report to the parliament. In the 2011 report, the committee (2012) clearly stated that “the question that arises today is that of the reality of autonomy, of its appropriation by universities and of the role of the state” [“la question qui se pose aujourd’hui est celle de la réalité de cette autonomie, de son appropriation par les universités et du rôle de l’État”] (p.5). The committee appeared mitigated regarding the success of universities internalizing the LRU. They admitted that the autonomy movement of French universities was irreversible and Vogel (2010) argued that “quasi-

soviet' system that prevailed until then ha[d] been buried" (p. 58). However, the committee made several observations and recommendations on a variety of issues, among which was the role of the state in universities.

According to the *Comité de Suivi de la loi LRU*, the state still exerts too much power on universities. They insisted on the fact that the State must trust universities and respect the autonomy they granted universities:

Dans le contexte d'autonomie des établissements, les modes de régulation de l'État doivent aussi évoluer vers des contrôles *a posteriori*. Il faut veiller à ce que les diverses administrations centrales ou déconcentrées ne soient pas tentées de reprendre ce que le législateur a accordé. L'Etat doit accorder sa confiance aux universités et faire évoluer ses modes de dialogue.

[In the context of institutional autonomy, the modes of regulation of the state must also move towards a posteriori checks. We must ensure that the various central or decentralized administrations are not tempted to take back what the legislature has granted. The State must trust universities.] (p. 8)

One of the challenges faced by the state is to find a balance between letting universities be in charge of their own internal affairs while also making sure they are accountable for their actions. This is a challenge also faced by American universities however, because the latter were autonomous from the beginning and because American universities did not experience any transition from a centralized to a decentralized system, their autonomy is not problematic as it is in France, in which there is a crucial need for the establishment of transitions and guidance as universities move from the old to the new system (Vogel, 2010). This confirms Vinokur's (2010) argument, according to which French universities could not be exactly modeled after American universities because they "lack institutions and funding mechanisms" (p.210). In addition, since French universities are public and college education is free there, their autonomy is even more problematic to manage.

Finally, there should have been more consultations and negotiations with the academic community before making any decisions.

This difficulty is also underlined by Louis Vogel (2010), who recently wrote a book entitled *L'Université, une chance pour la France* (*The University, an opportunity for France*). He graduated from Yale and Science Po, was once professor and president of university, and currently is president of the PRES (*Pôle de Recherche et d'Enseignement Supérieur*) Sorbonne Universités. Because he wrote this book after the LRU was passed and because he occupied a variety of positions within the academic community, he was able to understand the challenges faced by French universities and his contribution to the discussion is very meaningful. Vogel explained that “the law adopt[ed] a vision of the autonomy that is too formal: it provided a motor, without giving the necessary fuel to make it run at top speed” (p.57). In his analysis, he argued that the state has become scared of the freedom it has given to universities and would still like to exert control over it. It has given freedoms to universities, while at the same time creating new obstacles to their autonomy, thus maintaining a status quo (p.58). For example, the MERS still determines the wage bill ceiling, the job number ceiling, and manages bonuses given to professors. What Musselin wrote in 2004 thus seems to still be valid:

The changes in the ministry's role in France amount not so much to 'less state' as 'state in a different way'. The shift from national to local has not been accompanied by any disappearance of the state center, but by a change in its powers and practices. Increasingly, state practices are becoming a matter of evening out, realigning, finding balances, avoiding excess, preventing undesirable veering, or drifting off the road. (p. 129)

Decentralizing the French system of higher education, which has such a long history of centralization, will never give birth to a system perfectly similar to that of the United States.

French Universities, European Universities, and Institutional Autonomy

The European University Association conducted a study “monitoring, comparing, measuring and scoring different elements of institutional autonomy in 28 European higher education systems” (p.1). The report of this study, entitled *University Autonomy in Europe II: The Scorecard* (Estermann & al, 2011), provides us with qualitative and quantitative data regarding the degree to which French universities have become autonomous, while also allowing us to measure this autonomy in comparison to other European universities. The researchers used the four types of autonomy distinguished in the EUA’s Lisbon Declaration (2007): academic, financial, organizational, and staffing. In the EUA scorecard, France was ranked as follows: as far as organizational autonomy is concerned, France occupies the 16th position; in regards to financial autonomy, it is 22nd; as for staffing autonomy, it is 27th; finally, in terms of academic autonomy, France occupies the 28th, which means it is behind all other European countries. It is worth noting that the United Kingdom occupies the top of the four governance classifications. This is not surprising since there is “some synchrony between the characteristics of the [U.S. and U.K.] education systems...and the dominant political ideologies promoting reform within them” (Halpin & Troyna, 1995, p. 304). These numbers show that France’s centralized system is changing in some area of governance, but also that it is very hard to change them, and that universities are still struggling in their movement towards more

autonomy. As Musselin (2004) phrased it, “making French universities change” “often seems more arduous than the twelve labors of Hercules” (p. 5).

CHAPTER SEVEN

CONCLUSION

In this thesis, I have attempted to describe the process of borrowing the concept of autonomy of universities from the United States to France. The impulses that triggered cross-national attraction were internal dissatisfaction, negative external evaluation and the birth of a new world order. Internal dissatisfaction emerged because of the poor conditions of work and study in universities. Negative external evaluation by international college rankings, notably the Shanghai classification, showed that French universities are far behind American ones. Whether or not these rankings are reliable or biased towards a certain type of educational model, people take them seriously and, in this sense, they are a reality. One of the goals of the MESR was to develop excellence and increase the competitiveness, visibility, and attractiveness of French universities. International competition thus represented a major impulse for cross-national attraction. Sarkozy identified the autonomy of universities as a key to their success and campuses will increase their visibility, which is why the LRU is accompanied by an Operation Campus. Indeed, the autonomy of universities is not an end in itself, but a means to liberate creativity and increase the visibility and attractiveness of French universities worldwide.

Although I have acknowledged the existence of factors for cross-national attraction, I have also pointed out that this discourse may have hidden the real reasons for

rankings, or what might be called “externalisation to world situations” and “externalisation to the principles and results of science” (Waldow, 2011), may have served the role of legitimating this reform, meaning that decisions were made before any cross-national attraction happened. When one looks at Sarkozy’s economic policy agenda, one realizes that the LRU might not be the result of “geographical borrowing” but instead the result of what Steiner-Khamsi called “cross-sectoral transfer” (Waldow, 2011, p. 11). The *Modernisation de l’Etat* with the *Loi Organique relative aux Lois de Finances* (LOLF - August, 2001), and the *Révision générale des politiques publiques* (General Review of Public Policy, June 2007) both aim to “lead administrations to move from a logic of means to a logic of results” (La Documentation Française), a logic which has been mimicked in the LRU. When looking at the official discourse of pro-American Sarkozy and his government, it appears that he made direct references to the United States as the society from which he wanted to borrow the autonomy of universities and the campus culture, however he did not define the autonomy of universities in precise terms. It is as if he referred to a vague idea of what he thought this autonomy of American universities was, an imagined American model of higher education. He thus left the task of defining this term and the terms of the law to Pécresse and the MESR in consultation with the academic community. As was pointed out in the introduction, LRU means *Loi relative aux Libertés et Responsabilités des Universités*. In other words autonomy is understood as having more liberties and responsibilities, which makes sense since having more freedom implies having more responsibilities. This law thus increased the power or responsibilities of the president and board of trustees, as well as those of businesses. It also gave them more managerial and financial liberties and responsibilities.

This law was received in a very negative way, by most of the academic community – particularly left-wing students and professors who study and teach the social sciences and humanities. They see much inequality in the terms of the LRU, notably regarding the following: the growing power of economic actors in the academic world, which hijacks universities from their humanistic mission; the distribution of bonuses based on doubtful criteria; the decreasing power of professors' and students' voices in the governing bodies of universities; and the fact that teaching be seen as punishment, while publishing in order to increase one's "factor h" has become the new obsession in this economically-driven academic world. In addition, they are afraid that the LRU, which brought about the decentralization of universities, will ultimately lead to their privatization. In other words, according to the academic community, the humanist tradition of universities has been betrayed. Knowledge has become a commodity and French universities have been contaminated by the "new spirit of capitalism" coming from the United States (Derouet & Normand, 2008, p. 27). The LRU represented a cultural and historical clash for French people, because their resistance is rooted in the values of the 1789 revolution "Liberté, Egalité, Fraternité," which are well ingrained in the French psyche and have been internalized and passed on from generation to generation. With Napoleon's Imperial university, Musselin (2004) explained, "the principles of uniformity and equality" (p. 53) in French universities were born and, since then, their legitimacy has gained "a naturalistic quality" (p. 54) that has made it hard, if not impossible, to challenge.

Did this resistance lead to the repeal of the LRU? As we have seen, it did not. As was previously explained in Chapter One, there have been several attempts at passing a

similar law in the past, but they all failed. Therefore, Pécresse and Sarkozy were determined to maintain it in spite of the French people's resistance, in so far as France cannot remain isolated from the rest of the world and must compete with other systems of education that appear to be more efficient and attractive according to international rankings and institutions. How was this law internalized and appropriated by French universities? It has been shown that assessing these processes through a document analysis was quite challenging and that an ethnographic study, such as the one Rappleye (2011) conducted, would have undoubtedly given us more elements to understand the process of policy-borrowing. Because of the recent nature of this law, which represented a challenge to this analysis, it is therefore suggested that future research tackle this question again, when there will be more material to assess the impact of the LRU on French universities.

Notwithstanding these challenges, thanks to recent primary documents such as the 2011 Report of the *Comité de Suivi de la loi LRU* and EUA 2010 scorecard, it is possible bring some elements of response regarding the internalization of the LRU. The *Comité de Suivi* appeared mitigated regarding the success of universities internalizing the LRU. They admitted that the autonomy movement of French universities was irreversible and that the “quasi-soviet’ system that prevailed until then ha[d] been buried” (Vogel, 2010, p. 58). However, in regards to the new responsibilities of universities, they noted that the MESR would have needed to better plan transitions so as to guide the academic community from one system to another. At the same time, it should do so while respecting the freedoms it has granted universities and not take back what it has given them. Indeed, the committee insisted on the fact that the state still exert too much power

on universities and must trust universities. Although they have given more liberties to universities, they exert control over them through other avenues, thus leading to a status quo. In comparison to other European universities, the EUA scorecard indicates that the institutional autonomy of French universities is still limited compared to that of other European universities. More interestingly perhaps, this document shows that various European universities are all aiming at increasing their institutional autonomy. Therefore, it remains ambiguous whether or not the LRU was the result of policy-borrowing from the United States, or of the impact of globalization, which leads to some kind of convergence towards an international model of education.

In the 21st century, as people live in a world in which national frontiers are more and more permeable, the notion of transfer between countries is being increasingly challenged. In his article “The Theme of Educational Transfer in Comparative Education,” Beech wrote:

Giddens (1994) refers to a ‘global society’ (p. 96) as a society of ‘indefinite space’ (p. 107), in which no one is outside, since preexisting traditions cannot escape having contact with ‘the other’, and with alternative ways of life. In such a context, significant social relations exist which are neither between nor outside states, ‘but simply crosscut state divisions’ (Giddens, 1990, pp. 66-67).

Indeed, it has become hard to differentiate between transnational educational borrowing and the effect of globalization on education. This study explored whether the French reform on the autonomy of universities was borrowed from the United States, however it has concluded that the situation is more complicated than a simple ‘transfer’. As Rappleye (2011) rightly explained, “policy transfer no longer ‘arrives’ in a coherent, cohesive package where one can map clear lines of flow, distinguish between internal/external or easily understand the drivers of policy ‘import’” (p. 412). The origin of the

LRU is multiple. There are external sources like the United States, Bologna, and international organizations, which all exerted some influence on the creation of this law. However there are also internal sources, as we saw when we discussed cross-sectoral transfer. Because of the multiplicity of sources and the impossibility to “map clear lines of flow,” Steiner-Khamsi and Stolpe (2006) recommended that comparativists “abandon the mapping exercises of ‘borrowing’; and ‘lending research’ because of the complexities and non-linearity of transfer today” (Rappleye, 2011, p. 428). What conclusions can we draw from this document analysis? Did France really borrow this policy from the United States? Or is the autonomy of university the consequence of Bolognization or the creation of a European Higher Education Area (EHEA)? But has not the EHEA been created precisely to compete with the American system of higher education? Finally, if the LRU is the result of globalization, could it still be considered a form of borrowing?

When one looks at higher education reforms around the world, it is clear that there is a decentralization epidemic (Steiner-Khamsi & Stolpe, 2004); however, as Carnoy and Rhoten (2002) pointed out, many systems of education display “a hybrid of centralized and decentralized traits” (p. 9). Neo-institutionalists would argue that globalization homogenizes all the systems of higher education and make them converge towards a so-called international model of higher education. Others support the divergence theory, which “emphasizes different, pluralistic and localized responses to globalization processes” (Vaira, 2004, p. 1). What I would argue is that the LRU neither confirms nor denies the convergence and divergence theories. It is neither an example of isomorphism or polymorphism, but is the result of both movements of convergence and

divergence. My concluding hypothesis is thus that the LRU is an example of

“organizational allomorphism” (Vaira, 2004):

This concept is derived from linguistics and it used to point out a morphological variant of a same morpheme depending on the context of use. A morphological variant is meant not to be something different or idiosyncratic, but something recognizable as a declension of one definite pattern or form. In organizational terms, this concept points out that, although organizations adapt or translate institutional patterns in the face of their formal structure and arrangements, as well as of their social context, it is possible to identify a common set of institutionalized patterns, or institutional archetypes which structure the organizational arrangements and behaviors. (p. 1)

One may contend that the original source of this “institutionalized pattern” or what Shriewer may call “rationalized myth” is the United States and that the governance of universities that are part of the EHEA are various allomorphs of this morpheme or organizational pattern. The EUA scorecard seems to highlight this very well. As they underline, several documents defined autonomy as a key to the success of universities: The Bologna Declaration (1999), The Graz Declaration (2003), EUA’s Lisbon Declaration (2007), the EUA’s Prague Declaration (2009). The EHEA was created to “increase the international competitiveness of European higher education” (Europa, 2000, p. 4) or, in other words, to compete against the American system of higher education. Therefore, it is not surprising that their modes of governance look similar. However, as the EUA showed the different level of autonomy attained by twenty-eight European systems of higher education, we were able to notice that they all constituted a variation of the same organizational pattern, like a variation of the same melody.

If the decentralization of universities is a worldwide or, even, a Western phenomenon, does it mean that there was no borrowing? In so far as decentralization does not happen without human agency and since decisions are not made alone, I would

argue that it still is borrowing. Indeed, a conscious decision was made on the part of French politicians to create the LRU. However, Steiner-Khamisi (2011) rightly differentiated between two types of transfer: “voluntary transfer (lesson-drawing, emulation)” and “coercive transfer (harmonisation, imposition)” (p.4). Once again, it seems like the present transfer analysis is half voluntary and half coercive, that it is both the result of emulation and harmonization. In his Letter of Mission to Pécresse (Présidence de la République, 2007), Sarkozy clearly indicated his will to emulate the United States when he praised American campuses and identified the autonomy of universities as the key to the success of universities. At the same time, national governments and universities at a local level are under “normative and mimetic institutional pressures (DiMaggio and Powell 1991) produced by the agency of institutional carriers, particularly OECD and EU, that are evident in higher education policy change and restructuring” (Vaira, 2004, p. 491). Globalization may be imagined through “constructions of internationality” (Schriewer, 2004); however, at the local level, international agencies produce a “global educational discourse” that implicitly defines a series of limitations for educational thought and action in many parts of the world” (Beech, 2005, p. 10). In this sense, the LRU is the result of both policy-borrowing from the United States and globalization. By globalization, I do not mean simply the imposition of global archetypes on higher education systems. Indeed globalization is not a one-way phenomenon and does not merely homogenize systems of education (Dale & Roberston, 2002). We should instead speak of globalizations, since “globalization both is imposed from above and yet can be contested and reconfigured from below” (Kellner, 2002, p. 286).

To summarize, the way the LRU is implemented in French universities and the organizational change brought about by this law is the result of three phenomena: policy-borrowing from the United States; the competitive, normative, and institutional pressures of international and regional agencies on national governments; the individual understanding of the law and the resistance with which it has been met in specific universities, at the local level.

There is no question French universities have broken from the Napoleonic system, however the French context limits the autonomy of universities and my conclusion is that the new governance that emerged from these three phenomena produced an organizational allomorph of a global archetype of university governance, which may be qualified as “entrepreneurial university” (Clark, 1998). Further research will need to be done so as to discuss such proposal and define the particularities of this allomorph. Considering the recent nature of the reform, it is better that such research be done in a few years. Finally, while the present study is the result of a document analysis, the hope is that an ethnographic study be done that would study the relation between policy discourse and policy implementation in the governing bodies of French universities.

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